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*Attorneys for Plaintiff Jeanie Sankitts*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

# **AMENDED MASTER SHORT FORM COMPLAINT FOR DAMAGES FOR INDIVIDUAL CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364). Plaintiff(s) further show the Court as follows:

**1. Plaintiff/Deceased Party:**

JEANIE SANKITTS

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

N/A

Shaw Covart, L.L.P.  
11609 Shoal Creek Blvd., Ste. 100  
Austin, Texas 78701  
(512) 442-2200

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,  
1 conservator):  
2

N/A

3. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
4 the time of implant:  
5

FLORIDA

6. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
7 the time of injury:  
8

FLORIDA

9. Plaintiff's current state(s) [if more than one Plaintiff] of residence:  
10

FLORIDA

11. District Court and Division in which venue would be proper absent direct filing:  
12

MIDDLE DISTRICT OF FLORIDA, TAMPA DIVISION

13. Defendants (check Defendants against whom Complaint is made):  
14

C.R. Bard Inc.

Bard Peripheral Vascular, Inc.

16. Basis of Jurisdiction:  
17

Diversity of Citizenship

18.  Other: \_\_\_\_\_  
19

20. a. Other allegations of jurisdiction and venue not expressed in Master  
Complaint:  
21  
22

1	_____
2	_____

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

- Recovery® Vena Cava Filter
  - G2® Vena Cava Filter
  - G2® Express (G2®X) Vena Cava Filter
  - Eclipse® Vena Cava Filter
  - Meridian® Vena Cava Filter
  - Denali® Vena Cava Filter
  - Other: Bard Simon Nitinol Filter

11. Date of Implantation as to each product:

AUGUST 10, 2010

**12. Counts in the Master Complaint brought by Plaintiff(s):**

- Count I: Strict Products Liability – Manufacturing Defect
  - Count II: Strict Products Liability – Information Defect (Failure to Warn)
  - Count III: Strict Products Liability – Design Defect
  - Count IV: Negligence - Design
  - Count V: Negligence - Manufacture
  - Count VI: Negligence – Failure to Recall/Retrofit

- 1                    Count VII: Negligence – Failure to Warn  
2                    Count VIII: Negligent Misrepresentation  
3                    Count IX: Negligence *Per Se*  
4                    Count X: Breach of Express Warranty  
5                    Count XI: Breach of Implied Warranty  
6                    Count XII: Fraudulent Misrepresentation  
7                    Count XIII: Fraudulent Concealment  
8                    Count XIV: Violations of Applicable Florida Law Prohibiting  
9                   Consumer Fraud and Unfair and Deceptive Trade Practices  
10                   Count XV: Loss of Consortium  
11                   Count XVI: Wrongful Death  
12                   Count XVII: Survival  
13                   Punitive Damages  
14                   Other(s): All claims for relief set forth in the Master Complaint for  
15                   an amount to be determined by the trier of fact.  
16                   (please state the facts supporting this Count in the space immediately  
17                   below)  
18                   \_\_\_\_\_  
19                   \_\_\_\_\_  
20                   Plaintiff demands a jury trial.

RESPECTFULLY SUBMITTED this 17<sup>th</sup> day of March, 2016.

**SHAW COWART, LLP**

By: /s/ Ethan L. Shaw

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*Attorneys for Plaintiff Jeanie Sankitts*

Certificate of Service

I hereby certify that on this 17<sup>th</sup> day of March, 2016, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Ethan L. Shaw